

HOUSE JOINT RESOLUTION 308

By Bell

A RESOLUTION requesting the Select Oversight Committee on Education to review, study, and make any necessary recommendations regarding problems relative to assaults on school personnel delivering special education services.

WHEREAS, in 2008, the General Assembly enacted the Special Education Isolation and Restraint Modernization and Positive Behavioral Supports Act; and

WHEREAS, this new law includes provisions that must be followed by school authorities in the occurrence of an assault on school personnel, which provisions have raised questions and concerns that need to be considered and addressed; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the Select Oversight Committee on Education is hereby requested to review problems relative to assaults on school personnel by special education students. Such review should include relevant public testimony from school personnel and an examination of measures implemented by school systems to protect school personnel from physical assaults. The committee should consider any data available as to the number of assaults on education personnel by special education students; all pertinent information on Tennessee's application of "least restricted environment"; and information on how "manifestation determination" meetings are conducted and the criteria applied in making such determinations.

BE IT FURTHER RESOLVED, that the Select Oversight Committee on Education should determine, after completing its review, if recommendations should be made to the Tennessee Congressional delegation prior to reauthorization of the IDEA (Individuals with Disabilities Education Act).

BE IT FURTHER RESOLVED, that the Committee shall only meet for this purpose on days when the House of Representatives and the Senate are otherwise meeting in session or committee.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be transmitted to the Chair of the Select Oversight Committee on Education.